

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983

Page 1

MINUTES OF A REGULAR CITY COUNCIL MEETING, OCTOBER 3, 1983

PRESENT

Grant S. Nielson
Max Bennett
Don Bird
Don Dafoe
Ruth Hansen
Willis Morrison

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Warren Peterson
Dorothy Jeffery
John Quick
Ray Valdez
Neil Forster
Greg Cooper
Sherri Terrell
Martin Ludwig
Robyn Pearson
Don Daley
Craig Greathouse
Jim Fletcher
Sabra Daley

City Attorney
City Recorder
City Engineer
City Inspector
Public Works Superintendent
City Chief of Police
City Secretary

Mayor Nielson called the meeting to order at 8:02 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

Minutes of a Regular City Council Meeting held September 26, 1983, were presented and corrected by the Council. Councilman Don Dafoe MOVED to accept the minutes as corrected. Councilman Max Bennett SECONDED the motion, which passed unanimously.

Minutes of a Special City Council Meeting held September 28, 1983, were presented and corrected by the Council. Councilman Don Dafoe MOVED to accept the minutes as corrected. Council Member Ruth Hansen SECONDED the motion, which passed unanimously.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 2

PARKS & RECREATION ADVISORY BOARD RECOMMENDATION REGARDING REPLACEMENT FOR
PARKS & RECREATION DIRECTOR

Parks & Recreation Advisory Board Chairman Martin Ludwig reported that the Board unitedly recommended that Delta City continue to staff the position of Parks & Recreation Director. The Board recommended that the position be maintained so that continuity in the recreation programs would not be lost. He asked for immediate advertisement for someone to fill the position of Parks & Recreation Director.

Councilman Don Dafoe stated that the Board would like to continue to run the Regional Park through Delta City for at least 18 months to 2 years. They would like to hire a Parks & Recreation Director as soon as possible.

Mr. Ludwig stated that Councilman Don Dafoe had requested that the City Council receive copies of the Parks & Recreation Advisory Board's meeting minutes.

Mayor Nielson recommended that the Council report this recommendation to IPA as the City's position and request funding to fill the position.

Councilman Dafoe MOVED to adopt the Parks & Recreation Advisory Board's recommendation for the position of Parks & Recreation Director and to include this department as part of Delta City. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

LeAUR SHIELDS: REQUEST FOR AIRPORT SPACE RENTAL

Mayor Nielson stated that LeAur Shields had asked to postpone his appearance before the Council to discuss the availability of the airport hangar space until next week. He stated that the City had received official notice that the federal government no longer intended to lease the airport hangar space presently occupied by them.

Councilman Max Bennett stated that Loa Burraston had inquired as to the possibility of renting the same hangar space.

SCHOOL DISTRICT REQUEST FOR PARTICIPATION ON DRAIN LINES AND TO REDUCE THE
WATER DEDICATION REQUIREMENTS

City Engineer John Quick presented a map of the area where the drain lines would be located near the Delta South Elementary School. He stated that he had received a cost estimate from Ron Johnson Construction Company for \$22.00 a running foot for a 24 inch line to be furnished and installed. The line would need to be run under the rail road and would need two clean outs. The total estimate cost of installation would be \$20,000.00 excluding any asphalt patching that may be required.

Mayor Nielson stated that Roger Stowell from IPA has indicated that IPA would be willing to help the City with the drainage, but they felt that they had given the Millard School District enough. Mayor Nielson stated that the

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 3

City would have to participate in the cost of the drain lines for Mr. Stowell to persuade IPA to participate. He stated that the School District did say they would take care of the drainage for their own needs.

Councilman Max Bennett stated that the line would have to be deeper and bigger if it were to pick up the drainage from portions of the City other than the school property.

City Engineer John Quick recommended that the line be put in so it could accommodate the proposed district 5 of the City drainage plan in the future. This would require an increase in the pipe from a 12 inch to a 24 inch size and the line would have to be placed deeper.

The Council discussed the financial and beneficial aspects to the drain line being put in to accommodate the proposed district 5. The Council decided to ask IPP to help fund the difference in the size of the pipe and one-half of the price for the digging.

City Engineer John Quick stated that according to his analysis, 22 acre feet of water was adequate for the School District to dedicate to the City for water use at the Delta South Elementary School. He stated that the big item is the irrigation. He said the School District has reduced the area requiring irrigation. Most of the land is in building and parking lots. He stated that he had taken the figure that the School District had given him of 280,000 square feet rather than make his own measurements.

Councilman Don Bird suggested that if the School District's irrigation usage increased, the City could ask for the School District to dedicate more water. The Council asked City Attorney Peterson to prepare a resolution that would reduce the water rights dedication for the School District.

CHAMBER OF COMMERCE: REQUEST FOR FUNDING OF DISPLAY AT THE SALT PALACE

Inez Moody stated that she had met with the County Commissioners on the funding for a display promoting the Delta Area at the Salt Palace. She stated that Millard County agreed to pay one-half of the estimated amount. She stated that the Chamber of Commerce would be willing to make the arrangements for the necessary people to stay overnight in Salt Lake City. She asked if Delta City would be willing to donate one-half of the cost of the display, which would total approximately \$300.00. She stated that they intended to highlight the Delta Airport, the Union Pacific Rail Road, and highways that make shorter routes through Delta City.

Councilman Don Bird made a MOTION to appropriate a maximum of \$300.00 to the Delta Area Chamber of Commerce towards a display of the Delta Area to be set up in the Salt Palace on November 10-13, 1983. Councilman Max Bennett SECONDED the motion, which passed unanimously.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 4

ORDINANCE TO ADOPT PORTIONS OF THE STATE DRUNK DRIVING CODE

Mayor Nielson asked City Attorney Peterson to present the proposed ordinance amending the City drunken driving ordinance which had been previously distributed to the City Council. Mr. Peterson recommended that the ordinance be adopted in the form presented, but that it should be considered along with an interlocal agreement with Millard County under which Millard County would prosecute the offenses of driving on revocation and automobile homicide in certain instances. Mr. Peterson presented a proposed interlocal agreement and a resolution approving the agreement to that effect with Millard County for the Council to consider.

Councilman Don Bird made a MOTION to adopt Ordinance 83-65 entitled:

AN ORDINANCE AMENDING SECTION 11-321 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) TO ENACT PROVISIONS RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL, ESTABLISHING STANDARDS FOR DETERMINING INTOXICATION OR IMPAIRMENT, ESTABLISHING STANDARDS FOR REVOCATION OF LICENSES, ESTABLISHING PROCEDURES, AND SETTING STANDARDS FOR MINIMUM BLOOD ALCOHOL CONTENT, DEFINING RECKLESS DRIVING AND ESTABLISHING PENALTIES FOR VIOLATION OF THESE OFFENSES.

Councilman Don Dafoe SECONDED the motion. Mayor Nielson asked for a roll call vote.

Max Bennett	Yea
Don Bird	Yea
Don Dafoe	Yea
Ruth Hansen	Yea
Willis Morrison	Yea

Following the voting, Ordinance 83-65 was signed by Mayor Grant Nielson and attested by Recorder Dorothy Jeffery.

Councilman Don Bird made a MOTION to adopt Resolution 83-98 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH APPROVING AN AGREEMENT ENTITLED "INTERLOCAL COOPERATION ACT AGREEMENT FOR PROSECUTION OF CERTAIN PUBLIC OFFENSES BETWEEN THE CITY OF DELTA, UTAH AND MILLARD COUNTY, UTAH AND AUTHORIZING THE CITY TO BECOME A PARTY TO SAID AGREEMENT AND AUTHORIZING EXECUTION AND ADMINISTRATION OF THE AGREEMENT.

Councilman Don Dafoe SECONDED the motion. Mayor Nielson asked for a roll call vote.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 5

Max Bennett	Yea
Don Bird	Yea
Don Dafoe	Yea
Ruth Hansen	Yea
Willis Morrison	Yea

Following the voting, Resolution 83-98 was signed by Mayor Grant Nielson and attested by City Recorder Dorothy Jeffery.

ROBYN PEARSON: COUNTY REQUEST FOR AIRPORT EASEMENTS

Robyn Pearson, County Administrator, presented a map of the proposed belt route for the heavy coal trucks to use to deliver to IPP. The road would be built by the State of Utah. The state expects to start construction within 1½ years. Mr. Pearson stated that he felt, after talking to FAA, that this proposal would meet with FAA approval. He stated that the State of Utah Road Department has agreed to fund this new belt route if the County would secure the rights-of-way. He stated that the County had no funding to secure these rights-of-way. County Administrator Pearson stated that the new Millard County Golf Course would be located in the area southwest of the City airport. He stated that they had two options on where to get the water: (1) Taking the water out of an existing well near the property; (2) Pumping water out of the DMAD Reservoir. He stated that the engineers had definitely recommended that the water be pumped out of the reservoir. He stated that their biggest concern in locating the water line is to run the water line around the airport without hampering it. He stated that the County would like an easement for both the water and the road.

Mayor Nielson recommended that since Delta City requested the belt route that the City give the County a vote of confidence by approving both easements, if it met with the FAA approval. The Council concurred.

STEVE LITTLEFIELD'S REPORT ON TOTAL EXPENDITURES FOR RANCHO MOBILE HOME PARK'S RECREATION FACILITIES

The Council discussed Mr. Littlefield's report on the total expenditures for improvements that have been made to the Rancho Mobile Home's recreational facilities. The Council suggested that perhaps a drinking fountain and some trees could be included. Councilman Morrison suggested that the Council ask for the Parks & Recreation Advisory Board's recommendations. Councilman Don Dafoe made a MOTION to table this matter until the Council has received recommendations from the Parks & Recreation Advisory Board. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

DISCUSSION ON RON JOHNSON'S FINAL PAYMENT OF PHASE I OF THE WATER IMPROVEMENT PROJECT

Mayor Nielson stated that he had talked with Ken Mortensen and he had stated that he had received a check from Ron Johnson's insurance company, but had not cashed it. The Council discussed this matter.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 6

Mayor Nielson recommended that the Council authorize him to try to settle this matter.

City Attorney Peterson recommended that the City get this settled. He said the City is obligated to pay Ron Johnson Construction Company and may inject itself into unwanted liabilities by becoming involved in the dispute.

Councilman Don Bird made a MOTION to authorize the Mayor to try and settle the matter of Ken Mortensen's truck repair bill, and to pay Ron Johnson Construction Company their final payment. Councilman Max Bennett SECONDED the motion, which passed unanimously.

STOCKMAN'S LOUNGE CLASS "B" BEER LICENSE REQUEST

The Council discussed the issuance of a Class "B" Beer License to Stockman's Lounge. Delta City Police Chief Greg Cooper stated that he could see no problem with issuing a Class "B" Beer License to Stockman's Lounge. Councilman Don Bird made a MOTION to issue Stockman's Lounge a Class "B" Beer License. Councilman Max Bennett SECONDED the motion, which passed unanimously.

JUAB COUNTY PRISONER HOUSING BILL

Mayor Nielson stated that he had met with Robyn Pearson, County Administrator. The County is going to research the bill to Delta City for housing of prisoners in Juab County. This will be brought back in two weeks.

OTHER BUSINESS

Mayor Nielson stated that Eugene Young had talked to him about a proposal for underground emergency housing facilities. Mr. Young thought that these facilities should be on the west side of the County. Mr. Young recommended that Millard County would go with 50% of the funding if the City would go with the other 50%. City Police Chief Cooper suggested that if such a facility were built, it may be available for temporary housing of prisoners.

Councilman Don Dafoe asked who is responsible for writing the letter to withdraw the protest on the Improvement District 83-1.

City Attorney Peterson stated that he had been asked by Delta Estates residents to prepare this letter, but had not been authorized by the Council to do so and therefore had not done it yet. He stated that after the letter is prepared it will be circulated to each of the protestants to sign. Mayor Nielson asked City Attorney Peterson to prepare the letter.

Mayor Nielson presented a bill from City Attorney Peterson in the amount of \$2,192.98. Councilman Don Bird made a MOTION to pay City Attorney Peterson the requested amount due of \$2,192.98. Councilman Don Dafoe SECONDED the motion, which passed unanimously.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 7

Mayor Nielson stated that the City had received the quarterly sales tax payment today. It was just a few dollars less than \$50,000.00.

Councilman Don Bird stated that City Attorney Thorpe Waddingham had done a reference check on Jim Allan. Councilman Bird stated that the references were very favorable, but he did not have a written report yet.

Councilman Morrison suggested that the City pursue with IPA the impact alleviation funding for the position of City Administrator. He stated that he did have a proposal in mind to present to IPP. He passed out a letter explaining his proposal and the Council discussed it.

Councilman Don Bird recommended that the City call a Special City Council Meeting to discuss the references for Jim Allan or recess this meeting until a later time.

Chief of Police Greg Cooper asked if it would be possible to repaint the curb in front of the Delta Elementary yellow and put up "Loading Zone" signs. He stated that a cross walk was also needed at 100 North and 100 East.

Mayor Nielson stated that Officer Stoneking had asked permission to purchase some paint for the juvenile offenders to work off their work hours. The Council suggested that Chief Cooper proceed to get the curb in front of the Delta Elementary School painted, and the "Loading Zone" stenciled into the curb.

Chief of Police Greg Cooper stated that Officer Roger Young has served the City for 3 months. He asked the Council to approve City insurance benefits for Officer Young as soon as possible. Councilman Max Bennett made a MOTION to include Officer Roger Young in the City's insurance program. Councilman Don Dafoe SECONDED the motion, which passed unanimously.

City Recorder Dorothy Jeffery stated that the voting polls would be open from 7:00 a.m. to 8:00 p.m. on Tuesday, October 4, 1983, for the primary elections of Council members.

Mayor Nielson stated that he would like to encourage everyone to take an emergency first aid course offered in the near future.

Councilman Don Bird made a MOTION to recess this meeting until Tuesday at 5:30 p.m. at which time they would reconvene in Mayor Grant Nielson's office to discuss the references on Jim Allan, applicant for City Administrator. Councilman Max Bennett SECONDED the motion, which passed unanimously. They recessed at 10:38 p.m.

At 5:35 p.m. on October 4, 1983, Mayor Nielson stated that the City Council Meeting was again in session. All Council members were present.

City Attorney Thorpe Waddingham gave a report on the Taylor, Christensen Well Hearing.

Minutes: REGULAR CITY COUNCIL MEETING, October 3, 1983
Page 8

Councilman Don Bird asked Mr. Waddingham to report on Jim Allan's background findings. All findings of the report were favorable for Jim Allan. Councilman Don Bird made a MOTION to hire Jim Allan if the conditions of salary and relocation were applicable. Councilman Willis Morrison SECONDED the motion, which passed unanimously.

The Council discussed the possibility of Mr. Allan requesting to take his insurance and retirement benefits in cash. The Council decided to meet with Jim Allan on Monday, October 10, 1983, at 7:30 p.m.

The Council concurred that a resolution defining the administrators duties and authority needed to be prepared.

Councilman Don Dafoe made a MOTION to adjourn and Councilman Max Bennett SECONDED the motion. The motion carried unanimously. The Mayor adjourned the meeting at 7:30 p.m.


Mayor Grant S. Nielson

City Recorder Dorothy Jeffery

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD OCTOBER 11, 1983

PRESENT

Grant S. Nielson
Don Bird
Don Dafoe
Ruth Hansen

Mayor
Council Member
Council Member
Council Member

ABSENT

Max Bennett
Willis Morrison

Council Member
Council Member

OTHERS PRESENT

Dorothy Jeffery
Sherri Terrell

City Recorder
City Secretary

Mayor Nielson called the meeting to order at 5:08 p.m. and stated that the time, place, and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body.